Applicant: Sanjay Nigam Attorney's Docket No.: 15670-020001 / SD 2001-041-2

Applicant: Sanjay Nigam Serial No.: 09/965,651

Filed: September 25, 2001

Page : 6 of 7

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

The Examiner alleges that claims 1-6 are generic to a plurality of disclosed patentably distinct species comprising growth factors, protein kinase C activators, activators of small and large GTP binding proteins, proteosome inhibitors, inhibitors of caspases, agents that upregulate cytoprotective chaperones and agents which upregulate cytoprotective cytosolic chaperones and inducers of mild heat shock.

Applicants submit that claim 1 (as amended herein) does not recite a plurality of species. Furthermore claims 2-14 are dependent upon claim 1 and further limit the subject matter of the claims and thus should not be subjected to a species election. However, in order to be fully responsive to the Restriction/Election, Applicants elect the species of agents that upregulate cytoprotective chaperones.

REMARKS

Claims 1-6 have been amended to clarify the invention. New claims 7-14 have been added. Support for the amendments and new claims can be found throughout the specification and claims as filed. No new matter is believe to have been introduced.

Attorney's Docket No.: 15670-020001 / SD 2001-041-2 Applicant: Sanjay Nigam

Serial No.: 09/965,651

Filed: September 25, 2001

: 7 of 7 Page

Enclosed is a \$210 check for the Petition for Extension of Time fee. Please apply any charges or credits to Deposit Account No. 06-1050.

Joséph

Respectfully submitted,

R. Baker,

No. 40,900

Jr.

Fish & Richardson P.C. PTO Customer No. 20985 12390 El Camino Real

San Diego, California 92130 Telephone: (858) 678-5070 Facsimile: (858) 678-5099

10413319.doc